



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/872,164	05/31/2001	Daniel Fishman	2857/106	8770
2101 7590 02/12/2009 BROMBERG & SUNSTEIN LLP 125 SUMMER STREET BOSTON, MA 02110-1618				
EXAMINER				
MIRZA, ADNAN M				
ART UNIT		PAPER NUMBER		
2445				
MAIL DATE		DELIVERY MODE		
02/12/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/872,164

Applicant(s)

FISHMAN ET AL.

Examiner

ADNAN M. MIRZA

Art Unit

2445

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 January 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
- Paper No(s)/Mail Date: _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rasansky (U.S. 5,960,406) and further in view of Zhang et al (U.S. 6,016,478).

As per claims 10,1,14 Rasansky disclosed a system for scheduling an event over a network in a calendar of an invitee, the event having a set of details provided by an event creator including at least a predetermined time for the event, the system comprising: that when selected by the invitee creates a schedule request including at least the predetermined time for the event and an identifier for the event creator (col. 5, lines 9-27), the schedule request directing the event to the invitee's calendar; at least on server, in communication with the network, to receive the schedule request and store the event in the invitee's calendar and in an event record that includes a second link to the invitee's calendar; and at least on database, in communication with server, to store the event record (col.17, lines 28-49).

However Rasansky did not disclose in detail, "a first link, inserted in a web page associated with the event creator and including the event".

In the same field of endeavor Zhang disclosed, "Accept button lets the user enter a short reply message (via reply dialog 635 in FIG. 6B) and then sends the acceptance to initiator confirming the user will attend. The event is automatically added to the user's calendar" (col. 13, lines 22-25).

It would have been obvious to one having ordinary skill in the art at the time of the invention was made to have incorporated accept button lets the user enter a short reply message (via reply dialog 635 in FIG. 6B) and then sends the acceptance to initiator confirming the user will attend. The event is automatically added to the user's calendar as taught by Zhang in the method of Rasansky to make the user scheduling system more user friendly while being productive and make it more versatile.

3. As per claims 2,12,16 Rasansky-Zhang disclosed further including: creating a link from the event record to the event creator's calendar; and adding the event to the event creator's calendar (Zhang, col.3, lines 25-30).
4. As per claims 3,13 Rasansky-Zhang disclosed wherein the network is the Internet (Ranasky, col. 6, lines 4-19).
6. As per claim 4 Rasansky-Zhang disclosed wherein the invitee's calendar, the event creator's calendar and the event record are stored in a database in communication with the server (Ranasky, col. 5, lines 16-27).

7. As per claims 5,11,15 Rasansky-Zhang disclosed wherein the schedule request is a hypertext transfer protocol request (Ranasky, col. 6, lines 4-19).
8. As per claim 6 Rasansky-Zhang disclosed wherein the invitee's calendar is part of a personal information management system (Zhang, col. 5, lines 55-64).
9. As per claims 7,17 Rasansky-Zhang disclosed wherein the event creator changes at least one member of the set of details for the event, the method further including: updating the event record with the changed set of details; and updating the event in the invitee's calendar with the changed set of details using the link between the event record and the invitee's calendar (Zhang, col. 6, lines 30-43).
10. As per claims 8,18 Rasansky-Zhang disclosed further including sending a notification message to the invitee including the changed set of details (Zhang, col. 6, lines 30-43).
11. As per claim 9 Rasansky-Zhang disclosed wherein the schedule is created using a link associated with the event (Zhang, col. 3, lines 25-30).

Response to Arguments

Applicant's arguments with respect to claims 1-18 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

12. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Adnan Mirza whose telephone number is (571)-272-3885.

13. The examiner can normally be reached on Monday to Friday during normal business hours. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on (571)-272-3933. The fax for this group is (703)-746-7239. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

14. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

Art Unit: 2445

system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866)-217-9197 (toll-free).

/A. M. M./

Examiner, Art Unit 2445

/Larry D Donaghue/

Primary Examiner, Art Unit 2454